

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.) Case No.: 4:18-CR-00565-CDP
)
MARQUISE C. BROWN,)
)
Defendants.)

DEFENDANT MARQUISE BROWN'S MOTION TO FILE HIS NOTICE OF INTENT
TO SEEK A SENTENCING VARIANCE OUT OF TIME

COMES NOW the Defendant Marquise Brown, by and through counsel, and in support of the aforedescribed Motion, states to the Court as follows:

1. This matter is set on the Court's docket of Thursday, April 18, 2019 for Sentencing.
2. Pursuant to this Court's prior Order, any party seeking a departure or variance from the applicable guidelines range as determined by the Court, shall provide "notice" of the same to opposing counsel and the Court no later than ten (10) days prior to Sentencing.
3. On this date, the undersigned counsel personally spoke with Assistant United States Attorney Danis seeking her consent to the Defendant's filing of his untimely "notice" to seek a variance pursuant to paragraph 116 of the herein filed Presentence Investigation Report (PSR). Assistant United States Attorney Danis did in fact consent to the same.
4. The instant Motion has not been initiated for the improper purpose of causing undue delay, prejudice and/or harm for either the Government and/or the Court but rather for the appropriate reasons previously asserted herein.

WHEREFORE, and for all of the foregoing reasons, the Defendant respectfully requests that the relief sought herein be granted and for such other and further relief as the Court deems just and appropriate.

Respectfully submitted,

ROSENBLUM, SCHWARTZ AND FRY, PC

By: /s/ Gregory Wittner
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CERTIFICATE OF SERVICE

I hereby certify that on April 8, 2019 the foregoing was electronically filed with the Clerk of the Court to be served by operation of the Courts electronic filing system upon Ms. Angie Danis, Assistant United States Attorney.